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5

6 UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

7 * * *

8
9 UNITED STATES OF AMERICA,) **2:14-CR-00138-JAD-VCF**
)
10)
Plaintiff,)
11)
)
12 v.)
)
13 CHARLES RAY BELL, JR.,)
)
14 Defendant.)
15)
16

17 **STIPULATION FOR EXTENSION OF TIME**

18 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden,
19 United States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for
20 the United States of America, and Russell E. Marsh, Esq., Wright Stanish & Winckler, counsel
21 for Defendant CHARLES RAY BELL, JR., that the date for the Government to file a response to
22 the Defendant's "Motion for Production of Additional Police Reports" (Docket #35) be extended
23 for thirty (30) days.

24 This stipulation is entered for the following reasons:

25 1. On December 1, 2014, the Defendant, through prior counsel, filed a "Motion for
26 Production of Additional Police Reports." See Docket #35. PACER set the Government's
27 response deadline for December 18, 2014. The Defendant then subsequently was appointed new
28 counsel.

1 2. The Defendant's new counsel recently received discovery and needs additional
2 time to go through the discovery and discuss it with the Defendant. The parties have also been
3 discussing a possible plea negotiation which would obviate the need for the Court to consider the
4 Defendant's Motion. Alternatively, the parties may be able to resolve the discovery matter that
5 is the subject of Defendant's Motion.

6 3. The Defendant is incarcerated, but he does not object to the continuance of the
7 Government's response deadline.

8 4. The additional time requested herein is not sought for purposes of delay, but
9 merely to allow counsel for the Defendant adequate time to discuss this case with the Defendant,
10 along with possible defenses, as well as to potentially resolve the case with a plea agreement.

11 5. Additionally, denial of this request for continuance could result in a miscarriage
12 of justice.

13 6. This is the third stipulation filed herein to continue the Government's response
14 deadline.

15 DATED: February 17, 2015.

16
17 /s/_____
18 PHILLIP N. SMITH, JR.
19 Assistant United States Attorney
20 Counsel for the United States

 /s/_____
RUSSELL E. MARSH, ESQ.
Wright Stanish & Winckler
Counsel for Defendant CHARLES RAY BELL, JR.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,)	2:14-CR-00138-JAD-VCF
)	
)	
Plaintiff,)	
)	
v.)	
)	
CHARLES RAY BELL, JR.)	
)	
Defendant.)	

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. On December 1, 2014, the Defendant, through prior counsel, filed a "Motion for Production of Additional Police Reports." See Docket #35. PACER set the Government's response deadline for December 18, 2014. The Defendant then subsequently was appointed new counsel.

2. The Defendant's new counsel recently received discovery and needs additional time to go through the discovery and discuss it with the Defendant. The parties have also been discussing a possible plea negotiation which would obviate the need for the Court to consider the Defendant's Motion. Alternatively, the parties may be able to resolve the discovery matter that is the subject of Defendant's Motion.

1 3. The Defendant is incarcerated, but he does not object to the continuance of the
2 Government's response deadline.

3 4. The additional time requested herein is not sought for purposes of delay, but
4 merely to allow counsel for the Defendant adequate time to discuss this case with the Defendant,
5 along with possible defenses, as well as to potentially resolve the case with a plea agreement.

6 5. Additionally, denial of this request for continuance could result in a miscarriage
7 of justice.

8 6. This is the third stipulation filed herein to continue the Government's response
9 deadline.

10 For all of the above-stated reasons, the ends of justice would best be served by a
11 continuance of the motion response deadline.

12 **CONCLUSIONS OF LAW**

13 The additional time requested herein is not sought for purposes of delay, but merely to
14 allow counsel for the Defendant adequate time to discuss this case with the Defendant, along
15 with possible defenses, as well as to potentially resolve the case with a plea agreement. The
16 failure to grant said continuance would likely result in a miscarriage of justice.

17 **ORDER**

18 IT IS THEREFORE ORDERED, that the previously-scheduled response deadline for the
19 Government to respond to the Defendant's "Motion for Production of Additional Police Reports"
20 (Docket #35) is extended until March 9 20, 2015. The Defendant's Reply, if any,
21 is due within seven (7) days after the filing of the Government's Response.

22
23 
24 UNITED STATES MAGISTRATE JUDGE

25 2/18/15
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